

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HOUSE BILL 2252

AN ACT

AMENDING SECTION 28-2094, ARIZONA REVISED STATUTES; RELATING TO DISMANTLING
OF VEHICLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 28-2094, Arizona Revised Statutes, is amended to
3 read:
4 28-2094. Dismantling motor vehicle; application fee;
5 certificate of title; electronic title system;
6 exemption
7 A. An owner who sells a motor vehicle, trailer or semitrailer as scrap
8 or for dismantling or destroying shall assign the certificate of title of the
9 vehicle to the purchaser. The purchaser shall deliver the following to the
10 department:
11 1. An application for a dismantle certificate of title to scrap,
12 dismantle or destroy the vehicle.
13 2. The certificate of title to the vehicle purchased.
14 3. The registration card of the vehicle.
15 4. The license plate of the vehicle, if any.
16 5. A fee of four dollars.
17 B. **EXCEPT AS PROVIDED IN SUBSECTION G**, an owner who intends or desires
18 to dismantle a vehicle shall first forward all of the following to the
19 department:
20 1. An application for a dismantle certificate of title to dismantle or
21 wreck the vehicle.
22 2. The certificate of title to the vehicle.
23 3. The registration card of the vehicle.
24 4. The license plate of the vehicle, if any.
25 5. A fee of four dollars.
26 C. If the registration card or license plate is lost or destroyed, the
27 applicant shall state in a form prescribed by the department under penalty of
28 perjury the circumstances of the loss or destruction. **EXCEPT AS PROVIDED IN**
29 **SUBSECTION G**, on receipt of the documents and fee required by this section,
30 the department shall issue a dismantle certificate of title to the applicant
31 to dismantle or destroy the vehicle. The dismantle certificate of title
32 authorizes the person to transport or possess the vehicle or to transfer
33 ownership by endorsement on the dismantle certificate of title. The
34 department shall not issue a certificate of title for the vehicle if it is
35 dismantled or destroyed.
36 D. **EXCEPT AS PROVIDED IN SUBSECTION G**, a licensed automotive recycler
37 who files with the application for a dismantle certificate of title under
38 this section an Arizona certificate of title indicating that the vehicle is
39 free of all liens or a valid release of any liens shown on the title may
40 begin dismantling the vehicle five days after mailing or three days after
41 delivery of the required documents and fee to the department unless notified
42 by the department of the claim of lien or interest in the vehicle by some
43 other person. If the department sends this notice, the licensed automotive
44 recycler shall cease dismantling or sale of the vehicle and any of its parts
45 until the rights of the other person are determined.

1 E. A licensed automotive recycler may dismantle a vehicle without
2 obtaining a dismantle certificate of title in the licensed automotive
3 recycler's name if the vehicle has previously been issued a dismantle
4 certificate of title, a salvage certificate of title or a nonrepairable
5 vehicle certificate of title. The dismantle certificate of title, salvage
6 certificate of title or nonrepairable vehicle certificate of title must be
7 the current title of record. EXCEPT AS PROVIDED IN SUBSECTION G, an
8 automotive recycler shall file a written request to dismantle the vehicle in
9 a form prescribed by the department. The automotive recycler may begin
10 dismantling the vehicle after COMPLETING THE REQUIREMENTS IMPOSED BY THE
11 DEPARTMENT PURSUANT TO SUBSECTION G OR AFTER mailing or delivering the
12 request. If the department notifies the automotive recycler of a claim of
13 lien or interest in the vehicle by some other person, the automotive recycler
14 shall cease dismantling or sale of the vehicle and any of its parts until the
15 rights of the other person are determined.

16 F. An owner may dismantle a vehicle without obtaining a dismantle
17 certificate of title if a nonrepairable vehicle certificate of title has been
18 issued for the vehicle.

19 G. THE DIRECTOR MAY ESTABLISH AN ELECTRONIC TITLE SYSTEM TO ALLOW THE
20 VOLUNTARY RECORDING OF THE INFORMATION OR DOCUMENTS REQUIRED BY THIS SECTION
21 THROUGH ELECTRONIC MEDIA IN A COST EFFECTIVE MANNER IN LIEU OF THE SUBMISSION
22 OF PAPER DOCUMENTS AS PROVIDED IN THIS SECTION. A VALID ELECTRONIC DISMANTLE
23 CERTIFICATE OF TITLE ISSUED BY THE DEPARTMENT TO A PERSON AUTHORIZES THE
24 PERSON TO POSSESS, TRANSPORT, DISMANTLE OR DESTROY THE VEHICLE.

25 H. IN THE PROCESS OF ESTABLISHING THE ELECTRONIC TITLE SYSTEM, THE
26 DIRECTOR SHALL:

27 1. RESEARCH METHODS BY WHICH THE DEPARTMENT AND LICENSED AUTOMOTIVE
28 RECYCLERS MAY EXCHANGE AND MAINTAIN INFORMATION CONCERNING THE ELECTRONIC
29 COMPLETION OF DISMANTLE CERTIFICATES OF TITLE WITHOUT SUBMITTING OR RECEIVING
30 A PAPER DOCUMENT.

31 2. DEVELOP METHODS BY WHICH LICENSED AUTOMOTIVE RECYCLERS MAY
32 ELECTRONICALLY SUBMIT UPDATED INFORMATION PERTAINING TO THE VEHICLE RECORD.

33 3. DEVELOP METHODS TO ELECTRONICALLY SHARE INFORMATION RELATED TO
34 APPLICATIONS FOR DISMANTLE CERTIFICATES WITH LAW ENFORCEMENT AGENCIES AND
35 LICENSED AUTOMOTIVE RECYCLERS FOR THE PURPOSE OF IDENTIFYING STOLEN VEHICLES
36 AND STOLEN VEHICLE PARTS.

37 I. THE DIRECTOR MAY LIMIT THE NUMBER OF LICENSED AUTOMOTIVE RECYCLERS
38 PARTICIPATING IN THE ELECTRONIC TITLE SYSTEM.

39 J. THE DIRECTOR MAY ADOPT RULES TO IMPLEMENT THIS SECTION.

40 ~~G.~~ K. This section does not apply to the removal of a part for the
41 purpose of replacement.